Remarks and Arguments

Claims 1-6, 9-21, 24-29, 31-37, 40-46, 49-61, 64-66 and 69 have been presented for examination.

Claims 1-6, 9-21, 24-29, 31-37, 40-46, 49-61, 64-66 and 69 have been rejected under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 6,067,545 (Wolff, previously cited) in view of U.S. Patent No. 6,799,208 (Sankaranarayan, previously cited).

As discussed, the present invention concerns a resource configuration system in which a resource manager configures each resource using commands from a resource API command set that is provided by vendors of that resource. This API command would normally be provided to allow administrators to configure the resource and all resources would normally have such an API command set. Thus, the inventive system works with existing resources using their API commands sets without having to specifically program the resources for use with the invention and without requiring the use of resources that were specifically designed to operate with the invention.

The Wolff patent discloses client load and resource balancing, which is accomplished by appropriately modifying a configuration database and then duplicating the configuration database in all of the server nodes in the system. The examiner admits that the Wolff reference does not disclose a step of, or apparatus for, calling at least one API command to configure each resource.

However, the examiner claims that the Sankaranarayan reference discloses a resource manager that configures resources and that the reference also discloses that there are API commands to configure the resources in the system. The examiner points to Sankaranarayan column 2, lines 43-46; column 8, line 66 to column 9, line 4 and column 36, lines 64-67 as evidence that Sankaranarayan discloses the recited API commands. Column 2, lines 43-46 of Sankaranarayan disclose that the **resource manager** has an API command set and the API commands in this API command set are called by the resource consumers and resource providers. Column 8, line 66 to column 9, line 4 discloses that the resource manager API command set includes provider API calls that are called by the resource providers and consumer API calls that are called by the resource consumers. Similarly, column 36, lines 64-67, set forth the provider API and the consumer API in detail.

18

In contrast, the claims do not recite API commands in general, but clearly and particularly point out that the API commands are part of an API command set that is part of each **resource**. For example, claim 1 recites "A method for configuring multiple resources in a system, wherein <u>each resource has an API command set including at least one API command</u> that can be called to configure that resource, comprising: associating multiple elements with the resources, <u>each element calling selected API commands in an API command set for one resource in order to configure that resource in a manner different from other elements</u> ..."(emphasis added). Thus, as recites, the elements call the API commands in the resource API set.

In the <u>Sankaranarayan</u> disclosure, resources are controlled by resource providers. As described at <u>Sankaranarayan</u> column 7, line 53 – column 8, line 9, each resource provider is associated with a resource and tracks the availability of the resource. The <u>Sankaranarayan</u> reference is silent as to how a resource provider interacts with its associated resource, however, the resource providers interact with the resource manager by means of "callbacks" as set forth at column 8, lines 19-24, and column 10, lines 47-51. The resource manager uses these callbacks to reserve and release resources. These have a specific structure as illustrated at <u>Sankaranarayan</u> column 37, lines 32 et seq. Thus, it is clear that the resource provider must be specifically designed to operate with the resource manager.

The resource provider may also call methods in the resource manager API. However, this would be equivalent in the claims to the resource calling an API command in an API command set of the element instead of vice versa, as actually recited in the claims.

Thus, if the teachings of <u>Sankaranarayan</u> are combined with those of <u>Wolff</u>, as suggested by the examiner, the combination would not teach or suggest using the elements to call API commands in the resource API set as recited, for example, in claim 1 since neither reference teaches this. Thus, amended claim 1 patentably distinguishes over the cited reference combination.

Claims 2-6 and 9 are dependent, either directly or indirectly on amended claim 1 and incorporate the limitations thereof. Therefore, they distinguish over the cited <u>Wolff</u> and <u>Sankaranarayan</u> references in the same manner as amended claim 1.

19

Independent claims 10, 25, 32, 41, 50 and 65 have been amended to contain limitations that parallel those in amended claim 1. Consequently, claims 10, 25, 32, 41, 50 and 65 also patentably distinguish over the cited Wolff and Sankaranarayan references in the same manner as amended claim 1.

Claims 11-21 and 24 are dependent, either directly or indirectly, on amended claim 10 and incorporate the limitations thereof. Therefore, they distinguish over the cited Wolff and Sankaranarayan references in the same manner as amended claim 10.

Claims 26-29 and 31 are dependent, either directly or indirectly, on amended claim 25 and incorporate the limitations thereof. Therefore, they distinguish over the cited Wolff and Sankaranarayan references in the same manner as amended claim 25.

Claims 33-37 and 40 are dependent, either directly or indirectly, on amended claim 32 and incorporate the limitations thereof. Therefore, they distinguish over the cited Wolff and Sankaranarayan references in the same manner as amended claim 32.

Claims 42-46 and 49 are dependent, either directly or indirectly, on amended claim 41 and incorporate the limitations thereof. Therefore, they distinguish over the cited Wolff and Sankaranarayan references in the same manner as amended claim 41.
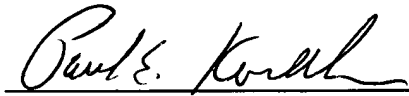
Claims 51-61 and 64 are dependent, either directly or indirectly, on amended claim 50 and incorporate the limitations thereof. Therefore, they distinguish over the cited Wolff and Sankaranarayan references in the same manner as amended claim 50.

Claims 66 and 69 are dependent, either directly or indirectly, on amended claim 65 and incorporate the limitations thereof. Therefore, they distinguish over the cited Wolff and Sankaranarayan references in the same manner as amended claim 65.

In light of the forgoing amendments and remarks, this application is now believed in condition for allowance and a notice of allowance is earnestly solicited. If the examiner has any further questions regarding this amendment, he is invited to call

applicants' attorney at the number listed below. The examiner is hereby authorized to charge any fees or direct any payment under 37 C.F.R. §§1.17, 1.16 to Deposit Account number 02-3038.

Respectfully submitted,

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